



K35A0740 (WESDIG.009CP1)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William B. Boyle

Group Art Unit 2616

Appl. No. : 09/823,702

Filed : March 30, 2001

For : SET-TOP BOX THAT PROVIDES
VIDEO DATA STREAM TO A
DISPLAY DEVICE BASED ON
SELECTION BETWEEN RECORDED
VIDEO SIGNAL RECEIVED FROM
THE DIGITAL VIDEO RECORDER
AND A REAL-TIME VIDEO SIGNAL

Examiner : Huy Thanh Nguyen

DECLARATION OF WILLIAM B. BOYLE PURSUANT TO 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, William B. Boyle, declare as follows:

1. I am the sole inventor of the claimed subject matter of the above-captioned patent application.

2. I have reviewed the above-captioned patent application, including: Figures 1-5, the specification, the as-filed claims, and the pending claims as amended in the "Amendment and Response to July 27, 2005 Office Action" submitted herewith. I have also reviewed the July 27, 2005 Office Action in the above-captioned patent application, including the rejection of Claims 1-14 as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

3. Figure 5 of the above-captioned patent application schematically illustrates an exemplary embodiment in which a digital video recorder 200 and a set-top box 100 are configured to be compatible with analog video programming and digital video programming. The specification of the above-captioned patent application further describes the exemplary embodiment of Figure 5 at page 14, line 20 – page 16, line 5.

4. The set-top box 100 schematically illustrated by Figure 5 includes a tuner 112 having an analog output 112A which is coupled to an analog output port 254 via a first connection 264, as disclosed by the specification at page 14, line 27 – page 15, line 5. The analog output port 254 is releasably connected to a video digitizer 125A of the digital video recorder 200, and the video digitizer 125A is coupled to a storage device (*e.g.*, disk 220) via the MPEG decoder 216 and the video data stream manager 230, as disclosed by the specification at page 15, line 22 – page 16, line 5. The video digitizer 125A receives an analog signal from the tuner 112 via the analog output port 254, as disclosed by the specification at page 15, lines 25-27. Various portions of the specification describe the operation of the components of the digital video recorder 200 to record an analog signal representing a selected program received from the set-top box 100, including but not limited to: Figures 1-4; page 4, line 27 – page 5, line 9; page 9, lines 15-24; page 11, line 21 – page 12, line 7.

5. The specification, including but not limited to the portions cited above, includes sufficient information to describe to a person skilled in the art of video recording systems the recording of a selected program represented by an analog signal by a storage device as recited by the as-filed claims and by the pending claims.

6. The set-top box 100 schematically illustrated by Figure 5 includes an analog signal processing circuit 125 which is coupled to the tuner 112 via a second connection 262. The set-top box 100 also includes an on-screen display (OSD) module 124 which is coupled to the analog signal processing circuit 125, as disclosed by the specification at page 14, lines 27-30. The OSD module 124 is also coupled to the video data stream manager 230 of the digital video recorder 200 via an interface 250 which is releasably connected to an interface 134 of the set-top box 100, as disclosed by the specification at page 15, line 24 – page 16, line 5. Various portions of the specification describe the operation of the OSD module 124 to overlay information to a program represented by the analog signal received from the tuner or to a program received from

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the digital video recorder 200, including but not limited to: Figures 1-4; page 8, lines 1-8; page 11, lines 13-20; and page 12, lines 24-31.

7. The specification, including but not limited to the portions cited above, includes sufficient information to describe to a person skilled in the art of video recording systems the overlaying of information to a program received from one of the analog signal processing circuit and the first interface module as recited by the as-filed claims and by the pending claims.

8. The specification of the above-captioned patent application includes sufficient information to describe to a person skilled in the art of video recording systems how to make and/or use the claimed invention as recited by the as-filed Claims 1-14 and as recited by Claims 1-14 as amended in the "Amendment and Response to July 27, 2005 Office Action" submitted herewith.

9. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 10/5/05 By: William B. Boyle
William B. Boyle

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